

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated March 24, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-6, 8-14, 18 and 21-24 are pending in the Application. Claims 23 and 24 are added by this amendment. By means of the present amendment, the claims are amended including for better conformance to U.S. practice as well as to correct certain informalities noted upon review of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action on page 10, it is indicated that claims 15-20 are canceled. This position is respectfully traversed in that claim 18 is pending and not canceled as indicated in the Final Office Action.

In the Final Office Action, claim 1 is rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement and is rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. The rejections of claim 1 under 35 U.S.C. §112, first paragraph and under 35 U.S.C. §112, second paragraph are respectfully traversed. However, in the interest of advancing consideration and allowance of the claims, the Applicants have elected to amend claim 1 to clarify that which is recited in the claims and to address the concerns raised in the Final Office Action.

Particularly, claim 1 is amended to recite (emphasis added) "driving means providing during selection of a picture element, variable voltages to the picture element prior to applying a fixed voltage to the display device, the fixed voltage being associated with an electro-optical state of the picture element that corresponds to a desired image grayscale to be set, wherein the variable voltages are selected having a mean voltage substantially equal to the fixed voltage that is associated with the electro-optical state of the picture element that corresponds to the desired image grayscale."

Support for the recitation of claim 1 is for example provided in the application as filed starting on page 4, line 28 and continuing through page 5, line 2.

It is respectfully submitted that claim 1 is supported by the written description and is definite. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. §112, first and second paragraphs be withdrawn.

In the Final Office Action, claims 1-3 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,262,833 to Loxley ("Loxley") in view of U.S. Patent No. 4,041,481 to Sato ("Sato") in further view of U.S. Patent Publication No. 2004/0231987 to Sterling ("Sterling"). These rejections are respectfully traversed. It is respectfully submitted that claims 1-6, 8-14, 18 and 21-24 are allowable over Loxley in view of Sato in further view of Sterling for at least the following reasons.

It is undisputed that Loxley and Sterling fail to teach, disclose or suggest "driving means providing variable voltages prior to applying a fixed voltage" as for example, recited in claim 1 (see, Final Office Action, pages 6 and 7, regarding claim 1).

While Sato is relied on for showing this feature of the claims, it is respectfully submitted that reliance on Sato is misplaced.

The variable voltages of Sato applied during a time period T_E are cited for showing the variable voltages of the claims (see, Final Office Action, page 6). However, it is respectfully submitted that a simple inspection of Sato, FIGs. 7G-7I makes clear that the variable voltages applied during the erase period T_E are erase pulses applied by Sato and are not variable voltages that correspond to the fixed data voltage.

Clearly Sato and the Final Office Action appreciates the distinction between the erase pulses supplied during the erase period T_E and the data voltage (fixed voltage) supplied during the time period T_s (see, the Final Office Action, bottom of page 6 and see Sato, col. 7, lines 16-18 and 27-31).

As further clear from Sato, the variable voltages during the T_E erase period are not variable voltages that are selected having a mean voltage substantially equal to the fixed voltage that is supplied during the time period T_s . For example, see FIG. 7G wherein the erase pulses supplied during the erase period T_E precede a fixed voltage of +V supplied during the time period T_s and FIG. 7H wherein the erase pulses supplied during the erase period T_E precede a fixed voltage of +3V (a different fixed voltage than the fixed voltage supplied in FIG. 7G) supplied during the time period T_s . Yet as is clear from Sato, the fixed voltage supplied during the time period T_s changes between FIGs. 7G and 7H (from +V to +3V), yet the erase pulses supplied during the erase period T_E are the same between FIGs. 7G and 7H.

It is respectfully submitted that the display device of claim 1 is not anticipated or

made obvious by the teachings of Loxley in view of Sato in further view of Sterling. For example, Loxley in view of Sato in further view of Sterling does not teach, disclose or suggest, a display device that amongst other patentable elements, comprises (illustrative emphasis added) "driving means providing during selection of a picture element, variable voltages to the picture element prior to applying a fixed voltage to the display device, the fixed voltage being associated with an electro-optical state of the picture element that corresponds to a desired image grayscale to be set, wherein the variable voltages are selected having a mean voltage substantially equal to the fixed voltage that is associated with the electro-optical state of the picture element that corresponds to the desired image grayscale" as recited in claim 1. In Sato, it is undisputable that the erase pulses supplied during the erase period T_E are not selected based on the fixed voltage supplied during the time period T_s .

Sterling is cited for allegedly showing other elements of the claims and as such, does not cure the deficiencies of Loxley and Sato.

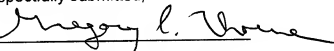
Based on the foregoing, the Applicants respectfully submit that independent claim 1 is patentable over Loxley in view of Sato in further view of Sterling and notice to this effect is earnestly solicited. Claims 2-6, 8-14, 18 and 21-24 respectively depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections

and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
May 13, 2010

THORNE & HALAJIAN, LLP

Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

Please direct all inquiries and correspondence to:

Michael E. Belk, Reg. 33,357
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
(914) 333-9643